

APPEAL NO. 030901
FILED MAY 28, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on March 20, 2003. The hearing officer resolved the disputed issue by deciding that the compensable injury sustained on _____, does not include injuries to the entire right upper extremity, right knee, and/or lumbar spine. The appellant (claimant) appealed, arguing that he proved beyond the preponderance of the evidence that he sustained physical damage or harm to his entire right upper extremity, right knee, and lumbar spine. The respondent (carrier) responded, urging affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant's compensable injury of _____, did not include injuries to his entire right upper extremity, right knee and/or lumbar spine. Extent of injury is a question of fact for the hearing officer. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). In this instance, the hearing officer was not persuaded that the claimant sustained his burden of proving the causal connection between his compensable injury and the claimed injuries to his entire right upper extremity, right knee and/or lumbar spine. The hearing officer was acting within her province as the fact finder in resolving this issue in favor of the carrier and nothing in our review of the record demonstrates that the hearing officer's determination is so against the great weight of the evidence as to be clearly wrong or manifestly unjust. Pool v. Ford Motor Company, 715 S.W.2d 629, 635 (Tex. 1986); Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **(a certified self-insured)** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
CINDY HARRIS
800 BRAZOS
AUSTIN, TEXAS 78701.**

Margaret L. Turner
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Robert W. Potts
Appeals Judge